

In re Patent Application

Serial No. 09 / 219 , 478

Filed: December 22, 1998

Examiner: Michael Pender

Protest under 37 CFR 1.291

Exhibit A

Affidavit of Michael Smialek.

THIS INSTRUMENT HEREBY ACKNOWLEDGES that the undersigned, Michael Robert Smialek, residing at 1548 Meadow Lane, Glenview, IL 60025, is of legal age, and does hereby swear and affirm that the following is true and accurate, to the best of his knowledge and recollection, under penalty of perjury:

1. I was employed at Andersen Consulting from August of 1992 through August of 1998.
2. From July 1995 through August 1998, I was deeply involved in Andersen Consulting's Business Simulation Practice.
3. From July 1995 through May of 1996, I conceived, designed, and developed the rules based expert system known internally at Andersen Consulting as the Tutor.
4. In the claims of the eighteen issued patents related to application 09/219/478, the Tutor is referred to as the "rules based expert system".
5. The "rules based expert system" known internally at Andersen Consulting as the Tutor, had been reduced to practice, was ready for patenting and was in commercial use on an Andersen Consulting engagement for General Electric Corp. in February of 1996. This engagement was called Financial Foundations Course.
6. The key Andersen Consulting executive contacts for the FFC project were William Stoddard, a Partner; Janet Simons, then an Associate Partner, now a Partner; David Smith, then a Manager, now an Associate Partner, Suzanne Pink, formerly a Manager, and Martha O'Connor, formerly a Manager.
7. The key General Electric contacts and sponsors for the FFC project were Nancy Taylor, Neil Flannagan, Eileen Whelly, Steve Kerr, and Dennis Dammermann.
8. In April 1996 I conceived of and conceptually designed the spreadsheet object component known internally at Andersen Consulting as the Simulation Engine.
9. In the claims of the eighteen issued patents related to application 09/219/478, the Simulation Engine is referred to as the "spreadsheet object component".
10. The "spreadsheet object component", known internally at Andersen Consulting as the Simulation Engine, had been reduced to practice, was ready for patenting and was in commercial use on an Andersen Consulting engagement for General Electric Corp. in October of 1996. This engagement was called Financial Accounting for Operations.
11. The "rules based expert system and spreadsheet object component" were used together commercially, in the context of Business Simulation, on the FAO engagement for General Electric Corp. in October of 1996.
12. Except for Suzanne Pink the key Andersen Consulting contacts for the FFC engagement were the same as for the FAO engagement.
13. The key GE contact for the FAO engagement was Paul Beucker (or Beuker?).
14. The "rules based expert system and spreadsheet object component" were demonstrated, offered for sale, and used commercially on an Andersen Consulting engagement for Pratt & Whitney Corp. The sales activities for this project began prior to April of 1997. The project development

began approximately in May of 1997 and ended some time in 1998. This engagement was called Business Decision Making.

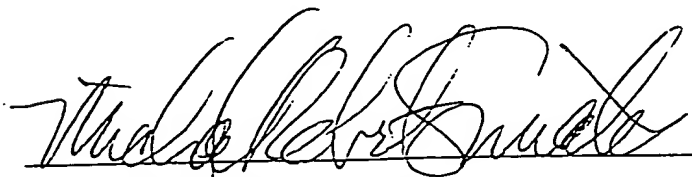
15. I performed a presentation and demonstration of Andersen Consulting's business simulation capability for a group of Allstate Insurance, Co. employees on February 20, 1997. I demonstrated the completed GE FFC Business Simulation application, as well as the Tutor and Simulation Engine and their related workbenches. I was directed to deliver this presentation and demonstration by my then manager, Suzanne Pink. The presentation and demonstration took place on Allstate premises in an open area of the cafeteria around lunchtime. It was scheduled and announced several weeks in advance. It was attended by executives and employees.
16. In the eighteen issued patents related to application 09/219/478, the specifications are identical or nearly identical. I believe this is called an omnibus specification. I assume that application 09/219/478 makes use of the same omnibus specification.
17. All of the subject matter in the specification was in commercial use more than one year before the application date of December 22, 1998.
18. Significant parts of the omnibus specification, including text, screen shots, flow charts, and source code samples, were taken from documents that I authored or co-authored between September 1995 and September 1997.
19. I do not know the inventorship for patent application 09/219/478. If the application in any way claims a "rules based expert system with a spreadsheet object component" and I am not listed as an inventor, then the inventorship is incorrect.
20. If the inventorship on patent application 09/219/478 is incorrect, I believe it is incorrect due to a deliberate misrepresentation on the parts of Andersen Consulting and the applying attorney, L. Keith Stephens. I have arrived at the belief that the misrepresentation of inventorship is deliberate because:
 - a. It is well known at Andersen Consulting that I invented the "rules based expert system" and contributed to the invention of the "spreadsheet object component". It is well known at Andersen Consulting that I invented or contributed to the invention of many other Andersen Consulting business simulation tools, technologies, and methods.
 - b. In the omnibus specification I recognize text, screen shots, flow charts, source code, and slides as having been taken from materials I authored during my employment at Andersen Consulting. I have been told by current and former Andersen Consulting employees that L. Keith Stephens drafted the omnibus specification based on said materials and others. My name was displayed prominently on said materials when I authored them. I have been told by current and former Andersen Consulting employees that my name was intact and still prominently displayed when said materials were delivered to L. Keith Stephens.
 - c. My name appears in the eighteen issued patents in a source code sample that is part of the omnibus specification.
 - d. Eric Lannert is a former Andersen Consulting employee and a named inventor on related patents that use the omnibus specification (patents 6073127, 6029159, 6029156, 6026386). Eric Lannert verbally stated to me that during interviews with L. Keith Stephens prior to the filing of the patents, he stated to L. Keith Stephens that I (Michael Smialek) was a contributing inventor and should be named as such in the patents.

filing of the patents, he stated to L. Keith Stephens that I (Michael Smialek) was a contributing inventor and should be named as such in the patents

e. William Stoddard initiated the patent application activities. On several occasions prior to and subsequent to the filing date, I explained the rules regarding the statutory bar, accuracy of inventorship, and duty of disclosure to William Stoddard. On each occasion his reply was to the effect that "our lawyers have found a way around those issues."

21. William Stoddard called me on 3/28/2000. I took careful notes during the conversation. When I confronted him with the inventorship and statutory bar issues, he conceded that the "Tutor is prior art" and the "Simulation Engine is prior art". He also stated "You weren't here, so you weren't named". I took this to mean that I didn't deserve to be named as an inventor because I was no longer employed at Andersen Consulting.
22. From September 1998 – November 1998 Andersen Consulting contracted with me to set up and deliver a 5-day training course to teach Andersen Consulting employees how to use the Tutor, the Simulation Engine, and several other tools and related workbenches. Andersen Consulting contracted with me to conduct two sessions of the course. This time frame was just before the filing date of the applications and there was much activity related to the patent applications. During this period I had face-to-face contact with several Andersen Consulting employees involved in the filing including Eric Lannert, John Hubbell and Brian Beams, among others. This contact occurred on Andersen Consulting premises. At this time I clearly and repeatedly explained the patent laws regarding accuracy of inventorship and statutory bar to Eric Lannert, John Hubbell and Brian Beams. At this time I had never heard of L. Keith Stephens. In several subsequent conversations with Eric Lannert, John Hubbell and Brian Beams, they told me that they conveyed the information regarding my contributions to the inventions and the commercial uses of the inventions to the attorneys involved in the applications.
23. I believe that direct questioning of named inventors of application 09/219/478 and the Andersen Consulting contacts from the FFC or FAO engagements will result in the conclusions that a) I am the primary or a contributing inventor to nearly all subject matter in the omnibus specification; and b) the subject matter of the omnibus specification is ineligible for patent due to commercial uses more than a year before the filing date.
24. I believe that the evidence presented in the protest of application 09/219/478 submitted by me on 7/14/2000 represents only a fraction of the available evidence that proves that the subject matter of the omnibus specification is ineligible for patent. I believe that much more evidence supporting ineligibility is available in internal Andersen Consulting documents and project records.

Signed this day:



Michael Robert Smialek



Date

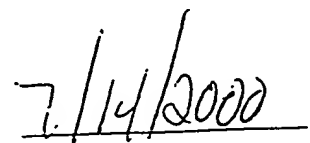
e. William Stoddard initiated the patent application activities. On several occasions prior to and subsequent to the filing date, I explained the rules regarding the statutory bar, accuracy of inventorship, and duty of disclosure to William Stoddard. On each occasion his reply was to the effect that "our lawyers have found a way around those issues."

21. William Stoddard called me on 3/28/2000. I took careful notes during the conversation. When I confronted him with the inventorship and statutory bar issues, he conceded that the "Tutor is prior art" and the "Simulation Engine is prior art". He also stated "You weren't here, so you weren't named". I took this to mean that I didn't deserve to be named as an inventor because I was no longer employed at Andersen Consulting.
22. From September 1998 – November 1998 Andersen Consulting contracted with me to set up and deliver a 5-day training course to teach Andersen Consulting employees how to use the Tutor, the Simulation Engine, and several other tools and related workbenches. Andersen Consulting contracted with me to conduct two sessions of the course. This time frame was just before the filing date of the applications and there was much activity related to the patent applications. During this period I had face-to-face contact with several Andersen Consulting employees involved in the filing including Eric Lannert, John Hubbell and Brian Beams, among others. This contact occurred on Andersen Consulting premises. At this time I clearly and repeatedly explained the patent laws regarding accuracy of inventorship and statutory bar to Eric Lannert, John Hubbell and Brian Beams. At this time I had never heard of L. Keith Stephens. In several subsequent conversations with Eric Lannert, John Hubbell and Brian Beams, they told me that they conveyed the information regarding my contributions to the inventions and the commercial uses of the inventions to the applying attorneys.
23. I believe that any direct questioning of named inventors of application 09/219/478 and the 24 related applications regarding inventorship and commercial uses will result in a conclusion that the subject matter of the omnibus specification is ineligible for patent. I believe that direct questioning of the Andersen Consulting contacts from the FFC or FAO engagements will result in a conclusion
24. I believe that the evidence presented in the protest of application 09/219/478 submitted by me on 7/14/2000 represents only a fraction of the available evidence that proves that the subject matter of the omnibus specification is ineligible for patent. I believe that much more evidence supporting ineligibility is available in internal Andersen Consulting documents and project records.

Signed this day:



Michael Robert Smialek



Date

In re Patent Application

Serial No. 09 / 219 , 478

Filed: December 22, 1998

Examiner: Michael Pender

Protest under 37 CFR 1.291

Exhibit B

Affidavit of Michael Rubin.

Affidavit of Michael H. Rubin

THIS INSTRUMENT HEREBY ACKNOWLEDGES that the undersigned, Michael H. Rubin, residing at 916 Michigan St., Evanston, IL 60202, is of legal age, and does hereby swear and affirm that the following is true and accurate, to the best of his knowledge and recollection, under penalty of perjury:

I was employed at Andersen Consulting from July 1996 through September 1999. From March 1998 through September 1999 I was involved in Andersen Consulting's Business Simulation practice.

This affidavit is in respect to patent 09/219/478, which as of this writing is pending Notice of Allowance. Andersen Consulting submitted this application with 24 others using an omnibus specification in December of 1998. These patents refer to "a rules based expert system" which is known internally at Andersen Consulting as the "Tutor." I believe the inventorship on patent 09/219/478 may be incorrect.


During the summer of 1998, I personally sent several documents related to the Tutor and it's workbench referred to internally as "ETSICA" to L. Keith Stephens, an attorney hired by Andersen Consulting to patent inventions created by the Business Simulation practice. I sent this material to L. Keith Stephens as email attachments under the direction of John R. Hubbell, an Andersen Consulting manager, and Eric J. Lannert, a former Andersen Consulting employee.

In addition, Eric J. Lannert and Eric Blow, another Andersen Consulting employee, sent additional documents and source code to L. Keith Stephens via email as well as on CD-ROM.

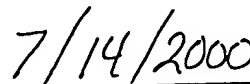
The documents describing the Tutor were mostly written by Michael R. Smialek and Malcolm J. Youngren who had their names on these documents. The documents included HTML pages and detailed Microsoft Word documents describing the use of the Tutor and ETSICA. The Tutor and ETSICA were designed and developed mostly by Michael R. Smialek and had his name prominently displayed in the source code. Within the Andersen Consulting Business Simulation practice, Michael R. Smialek is widely known in the as the inventor of the Tutor, and ETSICA.

Although the claims are unknown to me, the omnibus specification used for patent 09/219/478, suggests that Michael R. Smialek should be listed as either the primary inventor or a contributing inventor.

Signed this day:



Michael H Rubin



Date

In re Patent Application

Serial No. 09 / 219 , 478

Filed: December 22, 1998

Examiner: Michael Pender

Protest under 37 CFR 1.291

Exhibit C

Employee Performance Review from Andersen Consulting,
documenting the performance and contributions of Michael Smialek as
an employee of Andersen Consulting for the employment period
7/15/1995 – 11/30/1995.

CAREER MAP PERFORMANCE APPRAISAL

EVALUATEE

Name	Mike Smialek	Competency Group	Technology
Personnel Number	000814211	Skill Track	Technology Architecture
GMU/LMU	0283/080	Career Level	Consultant
Business Organization	Consulting	Industry/Market	Cross Industry

EVALUATOR

Name	Suzanne Pink	Career Level	Experienced Manager
Personnel Number	000681679	Industry/Market	Cross Industry
GMU/LMU	0283/080	Basis of Evaluation	Extensive
Competency Group	Technology		

EVALUATION

Project/Job Title	GE FMP FFC Design	Period Start	7/15/95
Client/Program Name	GE	Period End ---	11/30/95
Client Number	GEN042	Date Conducted	

APPROVAL

Name	Janet Simons	<input checked="" type="checkbox"/> Approved
Career Level	Associate Partner	
GMU/LMU	0021/062	

CAREER MAP PERFORMANCE APPRAISAL

Roles and Expectations

GE is replacing its instructor-led Financial Foundations Course (FFC) with a computer-based business simulation and presentation system.

Mike's role during the design phase of the project is to serve as the lead designer of the tutoring component of the application. This component will process student actions, determine appropriate feedback based on the type of error that occurred, and deliver that feedback.

Mike will supervise one staff person during this period, who will assist Mike in the development of tutor components and workbenches for application designers to input feedback data.

Mike is responsible for managing his own work effort, planning appropriate tasks and providing accurate status of his progress. He must work closely with instructional designers to obtain requirements, and also with the other system architects to ensure that the tutor conforms to other architecture standards.

At the end of this phase, Mike should deliver a working tutor component, which can be integrated into the overall architecture, and a workbench for designers to input feedback.

SKILL DOMAINS

Content Skill Domains

	<i>Standard</i>	<i>Assessed</i>
Application Programming	<p style="text-align: center;">3</p> <ul style="list-style-type: none"> * Develop complex program modules from general specifications. * Identify potential design discrepancies and recommend modifications to others' code. * Use architecture efficiently and effectively. * Provide programming assistance to others. * Apply principles of good code development (e.g., reusability, maintainability and self-testing). * Develop guidelines and standards in support of development practice. 	<p style="text-align: center;">3</p> <ul style="list-style-type: none"> * Develop complex program modules from general specifications. * Identify potential design discrepancies and recommend modifications to others' code. * Use architecture efficiently and effectively. * Provide programming assistance to others. * Apply principles of good code development (e.g., reusability, maintainability and self-testing). * Develop guidelines and standards in support of development practice.
<p>Mike was given very general guidelines for the tutor component he designed, and was able to develop a very complex application. He is very helpful to others on the team, and is very committed to concepts of reusability and "self-documentation" in all his work.</p>		
Functional Design	<p style="text-align: center;">2</p> <ul style="list-style-type: none"> * Identify functional requirements for your area of responsibility. * Conduct and document user interviews. * Define simple, maintainable processes based on a functional architecture. * Identify functional interfaces and incorporate into design. * Define data requirements of a business process. * Use design tools effectively. * Document volume, frequency and response time requirements of business transactions. 	<p style="text-align: center;">3</p> <ul style="list-style-type: none"> * Define the business dialogue that the process should execute. * Design simple, maintainable processes based on a functional architecture. * Define complex processes based on a functional architecture. * Develop functional architecture that supports user requirements. * Identify deviations from functional requirements in design specifications. * Identify key design issues and recommend possible solutions. * Identify scope changes, assess and communicate potential impact. * Recommend modifications to business processes based on design considerations.

CAREER MAP PERFORMANCE APPRAISAL

The architecture Mike designed for the tutor is based on a very complex design. He was able to quickly understand functional requirements, and modify the tutor design as functional requirements evolved through several iterations. He also was able to rapidly assess the impact of required modifications to the design as user requirements changed.

Performance Testing	<p style="text-align: center;">3</p> <ul style="list-style-type: none"> * Identify and describe testing concepts. * Define a test plan based on performance requirements. * Determine which areas of the application or technical environment should be performance tested. * Verify performance test results meet requirements and obtain user sign-off. * Determine appropriate solution to address the causes of testing discrepancies. * Analyze potential system performance problems and make appropriate recommendations. 	<p style="text-align: center;">3</p> <ul style="list-style-type: none"> * Identify and describe testing concepts. * Define a test plan based on performance requirements. * Determine which areas of the application or technical environment should be performance tested. * Verify performance test results meet requirements and obtain user sign-off. * Determine appropriate solution to address the causes of testing discrepancies. * Analyze potential system performance problems and make appropriate recommendations.
---------------------	--	--

Mike does a thorough job in testing the performance of his application, and systematically works to improve it where necessary. He understands how different approaches to a problem will impact performance, and always seeks to optimize it.

Project Management	<p style="text-align: center;">2</p> <ul style="list-style-type: none"> * Define tasks and create team workplans with moderate supervision. * Balance quality of work with deadlines and budget. * Delegate work to others and monitor progress. * Identify issues affecting work progress and recommend solutions. * Communicate schedule variances and potential scope changes in status reports. * Provide timely performance feedback. * Compare and contrast the capability and service offerings of the various Competency Groups. 	<p style="text-align: center;">2</p> <ul style="list-style-type: none"> * Define tasks and create team workplans with moderate supervision. * Balance quality of work with deadlines and budget. * Delegate work to others and monitor progress. * Identify issues affecting work progress and recommend solutions. * Communicate schedule variances and potential scope changes in status reports. * Provide timely performance feedback. * Compare and contrast the capability and service offerings of the various Competency Groups.
--------------------	---	---

CAREER MAP PERFORMANCE APPRAISAL

REVISION # 12

Mike manages his own work effort well, but must work on accurately reporting status to his managers. Mike has a tendency to say something is "complete", but the smaller sub-components may not actually be complete. When prompted, he can accurately estimate work efforts for these smaller components, but must work to better balance work effort with the ability to deliver on time/within budget.

Technical Design	3	4
	<ul style="list-style-type: none">* Identify system performance issues resulting from proposed functional design and recommend appropriate functional design changes.* Identify key technical design issues and recommend possible solutions.* Design interfaces between the system being developed and other systems with which it will communicate.* Comply with application architecture/technical architecture boundary standards.* Assess external system change requirements to accommodate interfaces, and create appropriate change requests.* Integrate technical design with overall technical architecture.	<ul style="list-style-type: none">* Define the sequence in which processing is performed and how data is passed between processes.* Determine data and process distribution in a way that balances functional simplicity with technical feasibility.* Develop conceptual technical designs that comply with the technical architecture.* Specify deliverables to be produced during technical design effort.* Estimate application's cost, resource consumption and response time.
Mike was given a very challenging task, for an application he was unfamiliar with, and was able to develop an architecture that successfully met all design requirements.		

CAREER MAP PERFORMANCE APPRAISAL

Technology Architecture	2	4
	<ul style="list-style-type: none"> * Combine architecture components to build one area of an architecture. * Identify how architecture components will be utilized by applications. 	<ul style="list-style-type: none"> * Determine appropriate boundaries for the components of an architecture. * Articulate the strengths and weaknesses associated with utilizing alternative architecture solutions. * Recommend a given architecture solution. * Define custom architecture requirements around a known architecture solution. * Define what architecture deliverables need to be produced. * Balance quality requirements against development and maintenance costs in resolving architecture issues. * Develop procedures for the on-going operational support of an architecture.

Mike has made significant contributions to our technical architecture, introducing new approaches and tools throughout the application to increase the sophistication of the overall product. He was able to evaluate a number of strategies for implementing the tutor component, and determined which approach would be ideal for our project. The final result was a product that will likely be reusable for similar engagements.

Technology Configuration and Deployment	2	2
	<ul style="list-style-type: none"> * Perform initial system component configuration. * Execute the proper software and/or hardware migration procedures. * Ensure that the necessary user administration changes have been made. 	<ul style="list-style-type: none"> * Perform initial system component configuration. * Execute the proper software and/or hardware migration procedures. * Ensure that the necessary user administration changes have been made.

CAREER MAP PERFORMANCE APPRAISAL

REVISION # 12

Technology Specialization	2	4
	<ul style="list-style-type: none"> * Implement specific technology components in area of specialization. * Utilize existing tools and environment to support tasks. * Articulate the strengths and weaknesses associated with a given technology solution within area of specialization. 	<ul style="list-style-type: none"> * Recommend a given technology solution within area of specialization. * Determine an approach for providing technology solutions within area of specialization. * Articulate the strengths and weaknesses associated with utilizing alternative implementation environments for area of specialization. * Specify changes required to other technology components to optimize performance in area of specialization.
<p>Mike's expertise in knowledge- and rule-based systems was essential to the development of the tutor component. Without this logic, our tutor would not have the level of reuse that it has, nor the ability to provide feedback according to a specific learning/feedback strategy in a consistent manner.</p>		

Other Content Skill Domains

No Basis Content Skill Domains

Account Planning	1
Business Process Acumen	1
Business Process Conversion	1
Facilitation	2
Functional/User Testing	2
Process Consulting	1
Quality Management	1
Research	1
Sales Planning and Implementation	1
Technology Operations Specialization	1

CAREER MAP PERFORMANCE APPRAISAL

REVISION # 12

Professional Qualities

	Standard	Assessed
Business Writing	2 <ul style="list-style-type: none"> * Develop documents that effectively communicate to work groups who share your perspective. * Express ideas in a clear, concise manner. * Write at the appropriate level of detail for the audience. * Use terminology appropriate for the audience. 	2 <ul style="list-style-type: none"> * Develop documents that effectively communicate to work groups who share your perspective. * Express ideas in a clear, concise manner. * Write at the appropriate level of detail for the audience. * Use terminology appropriate for the audience.
Mike is able to develop effective presentations for a given audience. He must work on writing detailed technical documents, which sometimes become too technical for the intended audience. When time becomes critical, Mike has a tendency to let documentation fall to the bottom of the priority list.		
Influence	2 <ul style="list-style-type: none"> * Provide input that is considered in group or team decision making. * Secure cooperation from and/or persuade co-workers. * Impact team morale, sense of belonging and participation. * Viewed as credible, knowledgeable and sincere. * Demonstrate awareness of others' personal behavior style. 	2 <ul style="list-style-type: none"> * Provide input that is considered in group or team decision making. * Secure cooperation from and/or persuade co-workers. * Impact team morale, sense of belonging and participation. * Viewed as credible, knowledgeable and sincere. * Demonstrate awareness of others' personal behavior style.
Mike has a very persuasive style when participating in group discussions, and presents his arguments very accurately. This is generally good, but Mike must work on driving compromise solutions when appropriate. He is respected as one of the most technically knowledgeable team members, and his personality certainly contributes to increasing team morale.		
Initiative	3 <ul style="list-style-type: none"> * Set personal standards that go beyond the expectation of others. * Identify and act upon opportunities to increase quality of team output. * Look for opportunities to make a contribution outside of immediate role. * Model initiative for others on team. 	3 <ul style="list-style-type: none"> * Set personal standards that go beyond the expectation of others. * Identify and act upon opportunities to increase quality of team output. * Look for opportunities to make a contribution outside of immediate role. * Model initiative for others on team.

CAREER MAP PERFORMANCE APPRAISAL

Mike's initiative is outstanding - it is often difficult to get him to stop working! He is always looking for ways to contribute to the knowledge capital of the Firm.

Innovation	3	3
	<ul style="list-style-type: none"> * Identify and use tools and techniques which can encourage innovative thinking. * Implement new approaches, methods, alternatives or solutions and identify potential impacts. * Develop new ways to solve problems when standard approaches do not apply. * Integrate or combine known approaches in novel ways to meet needs or objectives. 	<ul style="list-style-type: none"> * Identify and use tools and techniques which can encourage innovative thinking. * Implement new approaches, methods, alternatives or solutions and identify potential impacts. * Develop new ways to solve problems when standard approaches do not apply. * Integrate or combine known approaches in novel ways to meet needs or objectives.

The breadth of Mike's technical knowledge allows him to provide innovative solutions to several areas of the technical design. He developed a workbench to allow designers to enter knowledge directly into databases, thus leveraging programmer time during implementation.

Leadership	2	2
	<ul style="list-style-type: none"> * Contribute to a positive work environment through own behaviour. * Build the trust and confidence of others at all levels. * Promote sharing of information. * Demonstrate commitment through actions. * Consider balance between others' work and personal priorities. 	<ul style="list-style-type: none"> * Contribute to a positive work environment through own behaviour. * Build the trust and confidence of others at all levels. * Promote sharing of information. * Demonstrate commitment through actions. * Consider balance between others' work and personal priorities.

Negotiation	2	2
	<ul style="list-style-type: none"> * Resolve issues with subordinates. * Represent Andersen Consulting's viewpoint in issue resolution. * Identify situations requiring effective negotiation. 	<ul style="list-style-type: none"> * Resolve issues with subordinates. * Represent Andersen Consulting's viewpoint in issue resolution. * Identify situations requiring effective negotiation.

Mike must learn to seek out win-win solutions to issues, in discussions with others. This applies to both technical and administrative concerns.

Oral Communication	3	2
	<ul style="list-style-type: none"> * Organize discussion in a logical manner. * Express ideas to individuals and groups, both in formal and informal settings. * Communicate intended messages clearly when delivering formal presentations. * Develop messages that convey alternative viewpoints. * Respond to questions with accurate and complete answers. * Use effective non-verbal communication during formal presentations. * Communicate appropriately with people at various levels. 	<ul style="list-style-type: none"> * Organize and present own perspective in a logical manner. * Express ideas clearly and concisely to groups in informal settings. * Adapt communication content based on audience level. * Listen actively and respond to others.
<p>In formal presentations, Mike is very comfortable presenting technical materials. He must learn to tailor his presentations to his audience, sometimes altering the path of the conversation depending on the interests of the individuals in the room. Mike also needs to know when to raise issues in group meetings, and when to hold his thoughts for private communication.</p>		
Personnel Development	2	2
	<ul style="list-style-type: none"> * Pursue personal career development goals. * Balance career expectations and business needs. * Seek increased contribution and level of responsibility. * Provide informal feedback to others. * Seek out mentors for coaching and counselling. 	<ul style="list-style-type: none"> * Pursue personal career development goals. * Balance career expectations and business needs. * Seek increased contribution and level of responsibility. * Provide informal feedback to others. * Seek out mentors for coaching and counselling.
<p>Mike is proactive in seeking mentoring advice, and continues to look forward at his own career development. Mike's interest in this project is a good example, as it broadens his exposure to the work being done by the Emerging Technologies Group.</p>		

CAREER MAP PERFORMANCE APPRAISAL

REVISION 11-12

Problem Solving	2	2
	<ul style="list-style-type: none"> * Break problems into distinct and manageable parts. * Develop supporting data and rationale for alternative solutions. * Refer to precedents in determining solution alternatives. * Recommend solution to problem from various alternatives. * Implement solutions within immediate scope. 	<ul style="list-style-type: none"> * Break problems into distinct and manageable parts. * Develop supporting data and rationale for alternative solutions. * Refer to precedents in determining solution alternatives. * Recommend solution to problem from various alternatives. * Implement solutions within immediate scope.

Mike has good problem solving skills, but must remember to consider project scope in developing solutions. He is always eager to develop the most robust solution, but must also consider other project constraints. Although the tutor component exceeded budget, its capabilities most likely resulted in an overall decrease in total development time.

Teamwork/Collaboration	2	2
	<ul style="list-style-type: none"> * Encourage others to share ideas to develop team cohesion. * Listen, while withholding judgement, to all viewpoints. * Participate in goal setting and problem solving. * Identify barriers to effective teamwork. * Help other team members who need assistance. * Be open and flexible to new ideas that may alter team goals. * Share credit for accomplishments with team members. 	<ul style="list-style-type: none"> * Encourage others to share ideas to develop team cohesion. * Listen, while withholding judgement, to all viewpoints. * Participate in goal setting and problem solving. * Identify barriers to effective teamwork. * Help other team members who need assistance. * Be open and flexible to new ideas that may alter team goals. * Share credit for accomplishments with team members.

Mike listens well to different points of view, and works to develop the best solution for the team. However, during this design phase Mike worked fairly independently, without sufficient communication with other members of the architecture team. This led to some difficulty in integrating the tutor component with the rest of the architecture. Early, up-front discussions/solutions for the overall integration could have eliminated this difficulty.

No Basis Professional Qualities

Diversity Management	2
Professional Relationships	2

CAREER MAP PERFORMANCE APPRAISAL

REVISION # 12

Success Factors

Success Factor	Definition	Meets Expectations	Does Not Meet Expectations
Client Focus	Adopting client perspective in all interactions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Confidence	Acting with appropriate self-assurance; remaining poised in uncertain and ambiguous situations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cooperative	Maintaining responsibility and flexibility in working with others to achieve common goals.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Decisiveness	Acting promptly and confidentially using sound judgement and common sense.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Integrity	Consistently honoring commitments. Taking responsibility for actions and words.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Interpersonal Flexibility	Adapting to other personalities in a respectful manner that is conducive to goal achievement.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Responsiveness	Promptly acting upon requests or information.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Self Starter	Motivated to learn or advance own expertise and value.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stewardship	Thinking future-oriented; acting and investing to build a stronger firm for tomorrow.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thoroughness	Systematically organizing and completing detailed tasks; checking accuracy and completeness of information.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Self Starter:

Mike is very driven by exposure to new technologies or technical implementations. He is continually trying to learn and develop his expertise in a number of areas.

Cooperative:

Mike has been quite flexible and cooperative in working with the designers to ensure that the tutor workbench met their requirements. Mike must work to maintain this cooperative style in other areas, specifically administrative concerns. Mike has a tendency to always expect a little more in terms of project benefits (e.g. rental cars) than Andersen and client guidelines permit. Mike did not want out of town team members to share rental cars because of the distance between the apartment and the client site.

CAREER MAP PERFORMANCE APPRAISAL

Contribution:

Mike has added a great deal of value to our team. He has designed and created a tutor component to provide feedback for this business simulation application. The tutor uses sophisticated rules and algorithms to determine appropriate feedback for the wide variety of student actions which can occur. This is the first project to undertake such a task, and Mike did not hesitate to rise to the challenge.

The product we have at the end of design has some performance issues, but Mike has determined an alternate solution and will implement that solution during the next phase of the project. This Tutor should be reusable on other engagements which subscribe to the same approach to providing feedback. If this approach is used on future client projects, it will reduce overall development cost to the client.

Mike takes the initiative to teach others new products, and during this phase helped several people learn the basics of Microsoft Access databases.

Mike needs more supervisory experience, and needs to learn how to actively manage the work efforts of those who work for him.

CAREER MAP PERFORMANCE APPRAISAL

Key Strengths

- Technical expertise, specifically in rule-based systems
- Support/assistance to other team members: always eager and willing to take time out to assist others or teach them new tools/techniques
- Initiative/desire to acquire knowledge and new skills

Areas for Development

- Supervision of others (needs more opportunity here)
- Writing/presenting at a level appropriate for intended audience
- Up-front collaboration and issue resolution of overall integration issues
- Looking for win-win
- Balance work effort w/budget

Suggestions for Next Assignment

Mike's next assignment should involve supervisory tasks, where he is responsible for managing others' work efforts. He likes to implement his own designs, but must learn how to break work into components which can be delegated to other team members.